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5 Attorney for Plaintiff
6 BYRON CHAPMAN

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9 BYRON CHAPMAN,

CRB
10 CASE NO. 3:18-cv-05603-JCS

11 Plaintiff,

12 v.
13 **STIPULATION OF DISMISSAL AND**
14 **[PROPOSED] ORDER THEREON**

15 LARKSPUR ECONO GAS; VECANE
SOSSIKIAN; THERESA SOSSIKIAN;
VICTESS INC a California Corporation
d.b.a. LARKSPUR ECONO GAS

16 Defendants,

17
18 The Parties, by and through their respective counsel, stipulate to dismissal of this
19 action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2).

20 IT IS HEREBY STIPULATED by and between parties to this action through their
21 designated counsel that the above-captioned action become and hereby is dismissed with
22 prejudice and each side is to bear its own costs and attorneys' fees.

23 The parties further consent to and request that the Court retain jurisdiction over
24 enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994)
25 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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2 **IT IS SO STIPULATED.**

3 Respectfully Submitted,

4 Dated: July 2, 2019

5 THOMAS E. FRANKOVICH, APLC
6 *A PROFESSIONAL LAW CORPORATION*

7 By: /s/ Thomas E. Frankovich
8 Thomas E. Frankovich
9 Attorneys for Plaintiff

10 Dated: July 3, 2019

11 Fisher & Phillips LLP

12 By: /s/ Brett Martin
13 Brett Martin
14 Attorneys for Defendants

15
16 **[proposed] ORDER**

17 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
18 Fed.R.Civ.P.41(a)(2) and each side is to bear its own costs and attorneys' fees. IT IS FURTHER
19 ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties'
20 Settlement Agreement and General Release should such enforcement be necessary.
21
22

23 July 8, 2019
24 Dated: July 2, 2019

25 Honorable Magistrate Judge Joseph C. Spero
26 CHARLES R. BRYER
27 United States District
28 Judge

